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PATENT 5589-02701/P632

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re A	Rosengau	s et al.	§ Group Art Unit: 2877 § Examiner: Richard A. Rosenberger								
Scrial No. 09/965,408			§ Atty. Dkt. No. 5589-02701								
Filed: For:		r 25, 2001 S AND METHODS FOR ION OF SPECIMEN ES	Atty. Dkt. No. 5589-02701  I hereby certify that this correspondence is being transmitt via fausimile or deposited with the U.S. Postal Service as Fi Class Mail in an envelope addressed to: Commissioner for Patert P.O. Box 1450, Alexandria, VA 22313, on the date indicate below:    10/11/2004   Damela Derik   Damela Gerik   Date   Date								
			10/11/2004 <u>Barnela Berik</u> Date Pamela Gerik								
	INFORMATION DISCLOSURE STATEMENT										
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313											
Sir:	-										
Applicant requests consideration of \( \subseteq \) the references listed on the attached Form PTO-1449 and/or \( \subseteq \) the additional information identified below in paragraph 3. Pursuant to the revisions made to 37 CFR 1.98, copies are only provided for any foreign or non-patent art.											
1.	This Infor	mation Disclosure Statement is sub	omitted:								
	a. [	prosecution application unde within 3 months of the date of an International application; before the mailing date of a 1 before the mailing of a fir	within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application; before the mailing date of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.								
	b. 🗵	Office Action or Notice of	after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:   the certification of paragraph 2 below is provided, or a fice of \$180.00 is enclosed.								
	с, [	to payment of the issue fee,	after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.								

2.	It is hereby certified:				
		that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or			
		that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.			
3.		Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:			
4.	For ca	ch non-English language reference listed on the attached Form PTO-1449:			
		reference is made to an English language translation submitted herewith, and/or			
		reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or			
		reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or			
		reference is made to the concise explanation contained in the specification of the present application at page(s), and/or			
		reference is made to the concise explanation set forth below:			
<b>5</b> .·		Applicant also offers the following comments for the Examiner's consideration:			
6.		Also enclosed is a copy of a foreign search report citing these references.			
7.		The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.			
8.		Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.			

The Commissioner is authorized to charge said fees to Conley Rose, P.C. Deposit Account No. 50-3268/5589-02701.

Respectfully submitted,

Ann Marie Mewherter Reg. No. 50,484 Agent for Applicant(s)

CONLEY ROSE, P.C. P. O. Box 684908 Austin, Texas 78768-4908 (512) 476-1400 Date: October 11, 2004

Page 1 of 1

Form PTO-1449 (modified)			ATTY. DKT. NO. 5589-02701		SEF	SERIAL NO. 09/965,408		
		nts and Publications cant's Information	APPLICANT: Rosengaus et al.		GRO	GROUP: 2877		
	Disclos	sure Statement						
(Us	o severa	I sheets if necessary)		TE: September 25, 2001				
	T===	<del>,</del>		DOCUMENTS	<del> , ,</del>			
EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	<u> </u>	6791680	9/2004	Rosengaus et al.				
		6020957	2/2000	Rosengaus et al.				
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EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO	
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	l	OTHER ART (Incl	uding Author	Title, Date, Pertinent Pa	ana Etal			
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

Information Disclosure Statement--PTO 1449 (modified)

DATE CONSIDERED:

**EXAMINER:**